

## **Step-by-Step Instructions Environmental Assessment (EA)**

The Environmental Assessment (EA) for programmatic review is designed to adequately address, in a single environmental review, the separate and combined impacts of activities that are similar, connected, and closely related, or dependant upon other actions. [24 CFR Part 58.32(c)(1)]. The EA also includes consideration of reasonable alternatives to the proposed action, including the "no action" alternative, a schedule of any activities to resolve conflicts or mitigate individual, combined or cumulative effects, and mitigation measures, including project alternatives, applicable to individual project sites [24 CFR Part 58.32(c)(2-4)].

Issues identified in the EA, which may apply to one or more project sites in the program, or to the program as a whole, must be described. Alternatives to the proposed action, including the "no action" alternative, must be identified, with a designation of the preferred alternative. The preferred alternative may be the program as proposed, a modification of the program as proposed, including alternative sites or site selection criteria, or "no action." Mitigation measures to address concerns must be described. Finally, an environmental finding must be made. Unless the EA identifies extraordinary circumstances related to the proposed action, the review will likely result in a Finding of No Significant Impact.

If your project is not found to be exempt or categorically excluded from NEPA, an Environmental Assessment (EA) will be required. This document is used to evaluate the environmental ramifications of proposed CDBG funded and related program activities. Depending upon the magnitude and complexity of the proposed project, the Environmental Assessment can lead to two types of clearances or findings. These include a Finding of No Significant Impact (FONSI) or a Notice of Intent to Prepare an Environmental Impact Statement (EIS).

**Note to Reader:** An Environmental Assessment (EA) is a concise public document that a Federal agency must prepare in order to comply with the National Environmental Policy Act (NEPA) and the related Federal environmental laws and authorities. The EA must support decision making process and provide a clear rationale, justification, and documentation for ratings assigned.

Projects funded under the City's CDBG and HOME Programs rarely require an EIS since CDBG and HOME activities usually do not constitute a "major Federal action" or they are a small part of a large project for which a full environmental review has already been completed. The preparation of an Environmental Assessment (EA), which leads to a FONSI, will be typical for projects that are not exempt or categorically excluded. Activities, which fall under this category, include the following:

- ✓ The construction of a community facility such as a Child Care facility, a Homeless Shelter, or a Community Center.
- ✓ Public Works activities in which the size and capacity of the system or facility will be increased by more than 20 percent.
- ✓ Infrastructure activities in support of a new construction project.
- ✓ An individual action on a project of 5 or more units when the units are located within 2,000 feet of each other (Rehabilitation or new construction of an apartment complex).

## Instructions

This checklist will constitute full documentation for many factors on the EA (Appendix A), and partial documentation for others. It will avoid narrative reports and expedite the environmental review process. Before the site visit, review the Phase I and all background information on the project.

Several different types of maps will be useful in completing the review, such as the project plan or plot map, a location map showing major features and facilities in the vicinity, the USGS topographic map and FEMA flood map for the site area, and zoning/land use maps. *Many of the conditions can and should be recorded directly on the project plan.* Distances to major features and facilities (e.g., schools and fire stations) and a description of the surrounding area are examples. The plan can then be referenced as “source documentation”.

For HUD funded projects which are categorically excluded per 24 CFR §58.35(a), the Responsible Entity (**RE**) must make a determination of whether the proposal achieves compliance with each applicable statute, Executive Order or regulation with or without requiring formal consultation procedures, mitigation, permits or having adverse effects on the resources protected by the statute. (These instructions are a brief description of the essential findings needed to establish compliance. These instructions are not intended to replace the applicable regulations. Applicable regulations take precedence over these brief instructions). **The Preparer of the Statutory Worksheet must DOCUMENT OR ATTACH THE SOURCES OF THE DETERMINATION.**

**Record the finding status on the STATUTORY WORKSHEET for each listed Federal statute, regulation, and authority as follows:**

**Status “Not Applicable to this Project”** applies when compliance with the authority is not applicable to the project, such as in the case of Coastal Barriers. All CDBG and HOME project activity undertaken in the City of San Antonio are outside the Texas Coastal Management Program (CMP) boundary; therefore the projects are not subject to review.

**Status “Does not affect the resources under consideration”** applies when compliance with the authority is achieved without adverse effects on the protected resource, without necessary mitigation or attenuation **AND** when no formal consultation, permit or agreement is required to establish compliance. In these situations, enter **“Does not affect the resources under consideration”** in the STATUTORY WORKSHEET status column.

**Status “Consultation /Review/Permits Required”** applies when project compliance with the authority requires formal consultation, a permit or agreement, OR when the proposal may have an adverse effect on the protected resources. Evidence of completion and implementation of the required procedures or mitigation must be retained in the project Environmental Review Record (ERR).

Mark the box **“Approvals/Permits Obtained”** when compliance and/or mitigation is achieved.

Enter either Yes or No in the box labeled **“Attachments”** appropriately to indicate the required approvals, permits, compliance and/or mitigation is attached to the ER.

## STEP-BY-STEP OVERVIEW ENVIRONMENTAL ASSESSMENT

**The most current version of the ERR Form can be downloaded from the K Drive, Environmental folder: E. Subrecipients/subgrantees can make a request via e-mail to [communitydevelopment@sanantonio.gov](mailto:communitydevelopment@sanantonio.gov) or download the form from [www.sanantonio.gov/hcd](http://www.sanantonio.gov/hcd)**

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### ENVIRONMENTAL PROCEDURES

Prepare an EA in accordance with 24 CFR Part 58 Subpart E using the Environmental Assessment to include the grantee name and address, a description of the project and location map, a determination of existing conditions, identification of project impacts with data sources and explanation, a discussion of project alternatives, a discussion of any measures that will be implemented to mitigate project impacts, and a discussion of any irreversible project impacts. In addition, the other applicable laws and authorities, as previously discussed, must also be addressed and documented as part of the Environmental Assessment.

The Environmental Assessment will result in either **1) a Finding of No Significant Impact (FONSI) or 2) a finding of significant impact requiring preparation of an Environmental Impact Statement.**

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### FINDING OF NO SIGNIFICANT IMPACT (FONSI)

Most CDBG and HOME projects will result in a FONSI as they do not usually constitute major Federal actions or comprise part of a larger project that has already completed an environmental study. If you have a FONSI, you need to take the following steps and keep the following information in your environmental review record:

***1. This determination is made by the HCD Programs Analyst.***

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### FINDING OF SIGNIFICANT IMPACT.

If it is determined that the CDBG or HOME project will have a potentially significant impact on the human environment, then an Environmental Impact Statement must be prepared.

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### ENVIRONMENTAL IMPACT STATEMENT (58.37)

If the Environmental Assessment results in a finding that an activity will have “potentially significant” impact on the human environment, the grantee must publish a notice of intent to prepare an Environmental Impact Statement (EIS). “Potentially significant” incorporates significant development, regional impact, long-term effects on the environment, violation of existing laws and authorities or highly controversial development where in each case procedural

resolution is not feasible. 24 CFR Part 58.37 describes certain types of projects that require an EIS because of their size or nature.

For example, the construction, substantial rehabilitation, conversion or demolition of 2,500 housing units requires an EIS. A water or sewer project with the capacity to support 2,500 new units also requires an EIS. **Note:** If your project meets these thresholds or will result in other significant effects, contact the Department of Housing and Community Development regarding the preparation of an EIS.

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## HISTORIC RESOURCES

### *Discussion:*

**Section 106 of the National Historic Preservation Act of 1966** establishes procedures to be followed when federally funded actions may directly or indirectly have an effect on historic properties. For all projects that involve new construction on vacant property, or demolition or rehabilitation of buildings 50 years old or older, a Historic Resource Inventory Form must be completed and submitted to the State Historic Preservation Office (SHPO) for an effect determination. The SHPO in Texas is the Commissioner of the Texas Historical Commission. SHPO must be consulted for a determination before any rehabilitation; demolition or new construction is started on any program sites. Except for Exempt Projects (although Texas Antiquities Code is still applicable) HCD must contact the State Historic Preservation Officer (SHPO) to determine whether the project will affect historically or archaeologically significant areas or structures.

Projects that typically involve such reviews are housing rehabilitation; renovation of older, historic buildings for adaptive re-use; and projects involving excavation of land. In certain instances, subrecipients/subgrantees may be carrying out projects that involve historically significant structures or that are located in a historic district. Often these include projects like the removal of architectural barriers for the handicapped in public buildings such as libraries. Properties that are on the National Register of Historic Places, maintained by the U.S. Department of the Interior's National Park Service, or potentially may be nominated for inclusion in the National Register must be reviewed for architectural and historical significance by the SHPO.

### *Action required:*

***This authority is relevant to projects that involve new construction on vacant property, or demolition or rehabilitation of buildings 50 years or older. Research the project site to ensure it is not listed on or eligible for the National Register of Historic Places. Ensure that the site is not located in a historic district or more than 50 years old. Attach a copy of a property summary from the Bexar County Appraisal District. Printing Instructions are located in Appendix F.***

1. Mark **“Not Applicable to this Project”** when this authority does not apply to the project or when the RE and SHPO agree that there are No Historic Properties Affected per 36 CFR 800.4, no adverse effects on historic properties per §800.5(b), or SHPO has not objected within 30 days to such fully documented determinations.

## OR

2. Mark “**Consultation /Review/Permits Required**” when the proposal has an adverse effect on historic properties. Consult with SHPO et al., per §800.5 et seq., to resolve or mitigate adverse effects.
3. **Contact the State Historic Preservation Office (SHPO) using the template located at [www.sanantonio.gov/hcd](http://www.sanantonio.gov/hcd) (Sample can be found in Appendix B).**
4. **Allow at least thirty calendar days for the SHPO to review and respond. If a response is not received after the thirty-day review period, proceed based on your determination stipulated in the notice to SHPO. A copy of the Historic Preservation Notice and response must be kept in the Environmental Review Record.**
5. **Attach a copy of your letter to and the response from SHPO that is received to your EA.**

**A full description of Historic Preservation Requirements are found in the National Historic Preservation Act of 1966 (16 U.S.C. Section 470, particularly Section 106 (16 U.S.C. Section 470f), the Archeological and Historic Data Preservation Act of 1974 (P.L. 93-291, 16 USC 469), the Executive Order 11593, Protection and Enhancement of the Cultural Environment, May 13, 1971, (36 FR 8921, May 15, 1971) and in the Antiquities Code of Texas, chapter 191 Natural Resources code.**

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## FLOODPLAIN MANAGEMENT

### *Discussion:*

The 76th Texas legislature amended the Water Code to mandate cities and counties in the state to adopt ordinances and issue orders necessary to participate in the Natural Flood Insurance Program (NFIP) starting January 1, 2001. The Texas Counsel on Environmental Quality assists political submissions wishing to participate in NFIP and coordinate the program in Texas with FEMA.

Participation involves a fairly simple application process, and normally takes two-three months for federal approval. Insurance requirements generally stipulate the coverage must be in an amount at least equal to the development or project costs less land cost. Typical types of CDBG or HOME projects that may require participation are housing rehabilitation and public facilities such as community or senior centers (i.e., residential of publicly occupied structures). Other types of projects such as water and sewer extensions/replacements should provide for appropriate anchoring and protection of lines if located in the flood hazard area and should never encourage development in a flood hazard area. Street projects should address any change in drainage patterns in the environmental assessment.

In addition to floodplain management requirements, programs classified as Categorical Excluded (Subject to 58.5) or Environmental Assessment must consider the following regulations for projects located in the Special Flood Hazard Area (SFHA). Special flood hazard area (SFHA) means the land in the floodplain within the county subject to a one-percent or greater chance of flooding in any given year and shown on the FIRM as zone A, A1-30, AE, B, V, V1-30 or VE.

The objective of Executive Order (E.O.) 11988 is to avoid the long and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct and indirect support of floodplain development wherever there is a practicable alternative. E.O. 11988 applies primarily to areas subject to a one-percent or greater chance of flooding occurring in any given year (i.e., the 100-year or base floodplain). Federal Emergency Management Agency/National Flood Insurance Program (FEMA/NFIP) floodplain maps are established as the minimum standards for making this determination.

Executive Order 11988 is primarily applicable to habitable structures, publicly-occupied facilities, activities that encourage development in the floodplain, and critical structures. Critical structures include but are not limited to those structures that should not be exposed to even a slight chance of flooding, such as storage of irreplaceable records; storage of volatile, toxic, or water-reactive materials; construction of hospitals, schools, and nursing homes whose occupants may not be sufficiently mobile to avoid loss of life and injury; and construction of critical utilities and emergency services that could become inoperative if flooded. The critical action floodplain is defined as having a 0.2 percent chance of flooding in any given year, i.e., the 500-year floodplain.

**Executive Order 11988** requires an eight-step procedure for agency review and public notification for federally funded actions that involve new construction, substantial improvement of 1-4 family structures, or rehabilitation of structures with more than four units. HCD must also comply with local regulations adopted according to San Antonio's participation in the National Flood Insurance Program.

**Detailed information on HUD regulations for development in flood zones can be found at: <http://www.hud.gov/offices/cpd/energyenviron/environment/subjects/floodwetlands/index.cfm>. FIRM maps are available from the City's Planning department (<http://maps.sanantonio.gov>), or the Federal Emergency Management Agency (FEMA), at the Flood Map Store: <http://store.msc.fema.gov>**

*Action required:*

*This authority is relevant to projects that involve property acquisition, management, construction or improvements within a 100 year floodplain (Zones A or V) identified by FEMA maps, and does not involve a "critical action" (e.g., emergency facilities, facility for mobility impaired persons, etc.) within a 500 year floodplain (Zone B).*

***Regardless of the location of the site, source documentation for these determinations must include a copy of a FEMA map, with the Panel Number and Effective Date. If FEMA has not published flood maps, the RE must make a finding based on best available data, e.g. from the City/County Engineer or local Flood Control Agency. In the event the FEMA map is a blank panel, a Zoning Map from the Planning Department's website is required.***

- 1. The project does not involve property acquisition, management, construction or improvements within a 100 year floodplain (Zones A or V) identified by FEMA maps, and does not involve a "critical action" (e.g., emergency facilities, facility for mobility impaired persons, etc.) within a 500 year floodplain (Zone B) check "Not Applicable to the Project" on the Statutory Checklist (Appendix A).***

2. *If any proposed project involves rehabilitation or reconstruction in an SFHA, check the box labeled "Consultation Required, Permit and/or Mitigation Required" on the checklist (Appendix A).*
3. *Complete the 8-step decision making process according to 24 CFR Part 55.20 to document that there are no practicable alternatives to the proposal and to mitigate effects of the project in a floodplain.*
4. *Attach copies of the public notices and comments received (if any) to your EA.*
5. *Attach a copy of the Homeowner's Flood Insurance Policy.*

### **Eight Step Planning Process for Floodplain/Wetland Management**



### **EO 11988: Floodplain Management**

### **EO 11990: Wetland Protection**

(Note: See 44 CFR 9.6 for more detailed information.)

#### **STEP #1**

Will the action be located in a wetland and/or the 100-year floodplain or will it have the potential to affect a wetland or floodplain?

*If no, you are finished*

*If yes, continue to step #2*

#### **STEP #2**

A public notice must be published at the earliest possible time to provide information about the proposed project (1st Notice).

The notice must be disaster-wide & project specific

*Not applicable, you are done*

*Applicable, move on to step #3*

#### **STEP #3**

Is there any reasonable alternative to locating the project in a floodplain or wetland?

*If yes, FEMA must locate the action at the alternative site*

*If no, continue to step #4*

#### **STEP #4**

If the action must go in the wetlands or floodplain then the full range of impacts associated with the action must be identified.

*Not applicable, you are done*

*Applicable, move on to step #5*

### STEP #5

All potential adverse impacts must be avoided, minimized, or compensated for.

*Not applicable, you are done*

*Applicable, move on to step #6*

### STEP #6

Reevaluate the proposed action to determine if it is still practicable in light of its exposure to flood hazards, the extent to which it will aggravate the hazards of others, and its potential to disrupt floodplain and wetland values.

*Not applicable, you are done*

*Applicable, move on to step #7*

### STEP #7

If FEMA decides to take/fund an action that affects a floodplain or wetland, a 2nd public notice must be published (for a minimum of 15 days) to explain why affecting a floodplain or wetland is the only practicable alternative.

*Not applicable, you are done*

*Applicable, move on to step #8*

### STEP #8

Review the implementation and post-implementation phases of the proposed action to ensure that the requirements of the order are fully implemented.

Oversight responsibility shall be integrated into existing processes.

*Not applicable, you are done*

*Applicable, approval conditioned on review of implementation and post-implementation phases to insure compliance of the Executive Orders*

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## WETLAND PROTECTION

### *Discussion:*

Wetlands are defined as areas that are inundated by surface or groundwater with a frequency sufficient to support and, under normal circumstances, does or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.

**Executive Order 11990** requires federal agencies to avoid providing assistance for new construction in wetlands unless there is no practicable alternative, and the project includes all practicable measures to mitigate impacts. This rule also requires early public review according to the eight-step process prescribed in 24 CFR Part 55 for floodplain management. This process is required for disturbance of any wetland areas, including those considered "isolated" or "non-jurisdictional" under U.S. Army Corps of Engineers (ACOE) criteria (see below). For new construction, or rehabilitation which involves site excavation, installation of wells or septic systems, grading or placement of fill, wetland maps prepared by the U.S. Fish and Wildlife Service (FWS) must be reviewed to determine if the proposed action will impact these areas.



These maps are not all-inclusive. A particular site may exhibit wetland characteristics and not be shown on a state or federal map. In these cases, a wetland field investigation performed by a trained wetland specialist is necessary to determine if wetlands are present according to ACOE criteria (see below).

**Section 404 of the Clean Water Act** provides for jurisdiction by ACOE over "waters of the United States," including most wetland areas, even those that may not be mapped by FWS or DEC. Suspected wetland areas on a site which may be impacted by the project must be identified and delineated according to ACOE criteria. Activities disturbing these areas may be subject to ACOE permitting requirements in addition to review under Executive Order 11990.

**On-line wetland maps can be found at: [www.wetlands.com](http://www.wetlands.com),  
[www.tpwd.state.tx.us/landwater](http://www.tpwd.state.tx.us/landwater) or at [www.nwi.fws.gov](http://www.nwi.fws.gov)**

*Action required:*

*This authority is relevant to projects that involve new construction or rehabilitation that includes site excavation, installation of wells or septic systems, grading or placement of fill and the site is not located in an already built-up urban area within or adjacent to wetlands, marshes, wet meadows, mud flats or natural ponds per field observation and maps issued by the USDI Fish & Wildlife Service or U.S. Corps of Engineers.*

- 1. If the project does not involve activities described above, or is located in an already built-up urban area, check "Not Applicable to the Project" on the Statutory Checklist (Appendix A).*

**OR**

- 2. Check "Consultation Required, Permit and/or Mitigation Required" to indicate that sites will be reviewed for the presence of wetlands by using existing maps, or by conducting a wetland field investigation according to U.S. ACOE criteria.*
- 3. If an identified wetland area will be affected by the project, complete the 8-step decision making process in 24 CFR 55.20 to document there are no practicable alternatives and to mitigate effects of the project on wetlands.*
- 4. If a project is located in or within 100 feet of a DEC or APA regulated wetland, or subject to ACOE permitting requirements, appropriate permits must be obtained.*
- 5. Such action also requires obtaining a permit from the U.S. Corps of Engineers under Section 404 of the Clean Water Act.*
- 6. Attach approved permits to the EA.*

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## **COASTAL ZONE MANAGEMENT**

*Discussion:*

**The Coastal Zone Management Act of 1972** establishes requirements for review of federally funded projects in the Coastal Zone.

*Action required:*

***The City of San Antonio has received clearance dated 9/22/03 from Tammy S. Brooks, Texas General Land Office, Coastal Coordination Dept. stating that all San Antonio projects are outside the Texas Coastal Management Program (CMP) boundary; therefore not subject to review.***

1. ***Check "Not Applicable to the Project" on the EA and provide the language used above.***
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## **SOLE SOURCE AQUIFERS**

*Discussion:*

The Sole Source Aquifers (Safe Drinking Water Act of 1974, as amended) protects Sole Source Aquifers. Subrecipients/Subgrantees must not locate projects within an area designated by U.S.

Environmental Protection Agency (EPA) as being supported by a sole source aquifer. Contractor Localities should consult with the Aquifers Division of EPA for the implementation of project mitigation measures to avoid contaminating the aquifer, and maintain the documentation in the ERR..

**NOTE:** In the State of Texas, this requirement applies only to projects whose projects might impact the Edwards Aquifer (Austin and San Antonio Areas).

**Detailed information on the EPA Sole Source Aquifer program can be found at: <http://www.epa.gov/region02/water/grndtop.htm>, <http://www.epa.gov/region02/water/aquifer/index.html> or at [www.tnrcc.state.tx.us](http://www.tnrcc.state.tx.us)**

*Action required:*

***Per TNRCC website (5/3/04) the Edwards Aquifer is located outside Loop 1604 on the Northwest, and slightly inside Loop 1604 on the Southeast.***

1. ***If the project site is not located in the area, check "Not Applicable".***
2. ***Attach a copy of a Zoning map from the Planning Department's website <http://maps.sanantonio.gov/website/Zoning/viewer.asp>. (Instructions on printing maps from the Planning Department's website are included in Appendix E.***

**OR**

1. ***If the project site is located at or near this target area, check "Consultation Required, Permit and/or Mitigation Required" on the EA.***
  2. ***Work in collaboration with your HCD Programs Analyst to complete the required consultation with the Edwards Aquifer's Division of EPA prior to undertaking the action.***
  3. ***Attach documentation of consultation.***
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## ENDANGERED SPECIES

### *Discussion:*

**The Endangered Species Act of 1973** requires every federal agency to insure that any action that it authorizes, funds, or carries out, is not likely to jeopardize the continued existence of any threatened or endangered species or results in the destruction or adverse modification of critical habitat. For proposed projects that include ground disturbance of previously undeveloped land, the HCD must consult with the U.S. Fish and Wildlife Service (FWS) to determine if a proposed project site is known to contain state or federal listed rare, threatened, or endangered species, or critical habitat. Projects at infill sites in built-up urban areas, and rehabilitation projects with no associated site disturbance, are assumed to have no adverse impact on threatened or endangered species.

### *Action required:*

***HCD review has determined that CDBG and/or HOME funded projects are unlikely to impact any endangered species. Properties will not be located in endangered habitat area such as springs, rivers, or lakes with underground or water endangered life. Nor in bat caves or part of a bird flight path & projects will not result in major changes in land use. This project is located within the San Antonio City Limits, a large urban City.***

1. Check "Not Applicable to the Project" on the EA **and include the language provide above.**

## HOWEVER

***If it is determined that the project site is located in or near an endangered habitat area such as springs, rivers, or lakes with underground or water endangered life,***

1. Check "Consultation Required, Permit and/or Mitigation Required," to indicate that prior to commencement of any project where ground disturbance will occur, consult with Fish and Wildlife Services to determine the potential for impacts of the proposed action on any rare, threatened, or endangered species.
2. ***Attach documentation of the consultation. Work in collaboration with your HCD Programs Analyst to complete the required consultation.***

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## WILD AND SCENIC RIVERS

### *Discussion:*

**The Wild and Scenic Rivers Act** establishes review requirements for federal projects in or near rivers classified as wild, scenic, or recreational under this act, rivers under study for inclusion in the system, or rivers listed in the Nationwide Rivers Inventory.

### *Action required:*

***The Wild and Scenic Rivers Act establishes review requirements for federal projects in or near rivers classified as wild, scenic, or recreational under this act, rivers under study for inclusion in the system, or rivers listed in the Nationwide Rivers Inventory.***

***Action required:***

***San Antonio does not have "Wild or Scenic" rivers.***

1. ***Check "Not Applicable to the Project" on the EA and include the language provide above.***
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## **AIR QUALITY**

***Discussion:***

The Clean Air Act as amended is potentially applicable to all proposed activities. Air quality is an impact category for which specific federal and non-federal governmental standards exist. Consideration of air quality involves both analyzing the impact of the proposed project on air quality in the community and the impact of the existing environment on the proposed project forecasting. It depends on project size, type and its location (i.e., the suitability of the particular location for the type of project planned.) Such consideration might, for example, prohibit siting any facility with high air emissions too close to any populated areas.

Projects conducted by CDBG/HOME subrecipients/Subgrantees are typically not of a scale which requires consideration of most provisions of the Clean Air Act, with the exception of handling and disposal of Regulated Asbestos Containing Material (RACM). **Section 112 of the Clean Air Act** establishes national standards for handling and disposal of asbestos, an airborne contaminant known to be hazardous to human health.

**Information about asbestos in buildings is available from EPA at <http://www.epa.gov/asbestos/ashome.html>**

***Action required:***

***San Antonio has voluntarily committed to reducing air pollution by submitting an Air Quality Plan to the Alamo Area Council of Governments (AACOG) for record. This plan is currently in place until 2007.***

1. ***If the project will not involve disturbance or removal of Regulated Asbestos Containing Material (RACM), check "Not Applicable" on the EA and include the language provided above.***

**OR**

1. ***If any proposed project will involve disturbance or removal of Regulated Asbestos Containing Material (RACM), check "Consultation Required, Permit and/or Mitigation Required" to indicate that all work involving asbestos will be conducted according to Federal/State/Local requirements.***
  2. ***Negotiate suitable mitigation measures with the Air Quality Management District or Board***
  3. ***Obtain necessary permits and issue required notices. (For example, 40 CFR §61.145 requires 10-day prior notification to the Air Quality District Administrator whenever either 260 linear ft., 160 sq.ft., or 35 cubic ft., of asbestos containing material is to be disturbed).***
  4. ***Attach approved permit to EA***
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## FARMLANDS PROTECTION

### *Discussion:*

**The Farmland Protection Policy Act of 1981** requires proposals to use federal funds for residential development that result in conversion of farmland to nonagricultural use to be evaluated according to criteria found at 7 CFR Part 658(b). To minimize the extent to which federally-assisted actions and projects convert farmland to nonagricultural uses, the Farmlands Protection Policy Act (FPPA) was enacted in 1981. The FPPA (7 USC Sec. 4201 et seq.) defines prime farmland, unique farmland, and farmland of state or local importance. The U.S. Department of Agriculture issued regulations in 1984 implementing the FPPA. The Natural Resources Conservation Service (NRCS) is the enforcement agency of these regulations in Texas.

### *Action required:*

***This Act excludes land already in or committed to, urban development (including “urbanized area”) defined by the Census Bureau as population density of 50,000 or more. San Antonio has a population of more than 1.12 million (per COSA web “A Profile of SA” printed 5/04).***

***1. Check "Not Applicable" on the Statutory Checklist (Appendix A) and include the language provided above.***

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## NOISE ABATEMENT AND CONTROL

### *Discussion:*

**HUD Environmental Criteria and Standards at 24 CFR 51(b)** describe HUD's general policy to provide minimum national standards applicable to HUD programs to protect citizens against excessive noise in their communities and places of residence. Particular emphasis is placed on compatible land use planning in relation to airports, highways, and other source of high noise. HUD Noise Assessment Guidelines are used when a project site is located within 1,000 feet of a major highway, 3,000 feet of an active railroad line, or 15 miles from a major commercial or military airport.

For projects that include only moderate rehabilitation (under \$25,000 per unit), noise attenuation (through the construction of barriers or architectural features) is encouraged in all projects where it is apparent that excessive noise levels exist. For substantial rehabilitation projects, a noise assessment worksheet must be prepared according to procedures described in *The Noise Guidebook*, HUD-953-CPD, updated June 5, 2002. Noise attenuation is strongly encouraged in substantial rehabilitation projects where the average ambient day-night noise level (DNL) exceeds 65 decibels (dB). For new residential construction projects, a noise assessment must be prepared if the site is in close proximity to transportation noise sources as described above. Part 51 establishes the following thresholds for acceptability of new construction in a noise sensitive area:

DNL	Required Action
65 dB or less	Acceptable - No further action required.
65-70 dB	Normally Unacceptable - minimum 25 dB window-wall noise attenuation or other mitigation action required.

70-75 dB	Normally Unacceptable - minimum 30 dB window-wall noise attenuation or other mitigation required.
Greater than 75 dB.	Unacceptable - action allowed with adequate noise attenuation, or other mitigation, but only if an environmental impact statement (EIS) is prepared, or a waiver of the EIS requirement is issued.

**An online version of The Noise Guidebook can be found at:**  
<http://www.hud.gov/offices/cpd/energyenviron/environment/resosurces/guidebooks/noise/index.cfm>

*Action required:*

*It is HCD's policy that Subrecipients perform a noise study when a property is near any of the sites listed as "noise generators" within the distances outlined by HUD. If the project is located less than 1,000 feet of a major highway, 3,000 feet of an active railroad line, 15 miles from a major commercial or military airport, or other major source of noise.*

1. *Check "Consultation Required, Permit and/or Mitigation Required" to indicate that sites will be reviewed according to HUD Noise Assessment Guidelines.*
2. *Attach a copy of the noise study to your EA.*
3. *Provide a description of how you plan to mitigate.*

**OR**

1. *Presume there will be a noise issue and perform compliance/mitigation activities.*
2. *Check "Does not affect the resources under consideration" to indicate that sites will be reviewed according to HUD Noise Assessment Guidelines.*
3. *Provide a scope of work that includes standard noise mitigation measures.*

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## **EXPLOSIVE AND FLAMABLE OPERATIONS**

*Discussion:*

**HUD Notice 79-33 in 24 CFR 51** is a HUD requirement that is not required elsewhere in Federal regulations. **HUD Environmental Criteria and Standards at 24 CFR 51(c)** are applicable to HUD-assisted projects which involve new residential construction, conversion of non-residential buildings to residential use, rehabilitation of residential properties that increases the number of units, or restoration of abandoned properties to habitable condition.

For these activities, the acceptable separation distance (ASD) to the site from flammable or explosive materials stored aboveground must be calculated. Federal financial assistance is prohibited when an unprotected site is less than the ASD from a thermal/explosive hazard. Modification of the proposed layout, design, or siting should be considered when a proposed project is less than the ASD from a hazardous facility. This regulation does not provide any waiver provision.



Detailed information on HUD regulations for development near thermal/explosive hazards can be found at:  
<http://www.hud.gov/offices/cpd/energyenviron/environment/resources/guidebooks/hazfacilities/index.cfm>

*Action required:*

1. *This statute only applies to new construction, conversion of nonresidential properties to residential use, rehabilitation which increases unit density, or restoration of abandoned residential properties to habitable conditions. If the proposed project does not involve any of the activities listed above, check "Not Applicable" on the Statutory Checklist (Appendix A).*

OR

2. *For programs which may include new construction, conversion of nonresidential properties to residential use, rehabilitation which increases unit density, or restoration of abandoned residential properties to habitable conditions that are located within one block or less of these listed sites, perform the following*
3. *Perform a site visit of the project, identify any explosive hazards, within one mile of the site, i.e., storage tanks, holding facilities, process vessels, tank truck parking areas, railroad freight yards or sidings, or transmission lines that may be used to store, process or transport hazardous products.*
4. *If a hazardous determination is made, and the number of persons at the site will be increased as a result of the project, the subrecipient/subgrantee must mitigate.*
5. *Check "Consultation Required, Permit and/or Mitigation Required" on the Statutory Checklist (Appendix A) to indicate that for these activities, the ASD from existing aboveground storage facilities which contain flammable or explosive materials, as defined by 24 CFR Part 51(c), will be determined, and appropriate decisions made according to regulatory requirements.*
6. *Describe procedures for individual site review on the Analyst Site Visit & Certification Form.*

OR

7. *If a hazardous determination is made, and the number of persons at the site will not increase as a result of the project, check "Does not affect the resources under consideration" on the Statutory Checklist (Appendix A)*
8. *Describe procedures for individual site review on the Analyst Site Visit & Certification Form.*

---

## TOXIC CHEMICALS AND RADIOACTIVE MATERIALS (Hazardous Materials and Site Contamination)

*Discussion:*

HUD environmental standards at 24 CFR Part 58.5(i)(2) establishes HUD policy that all properties proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemical and gases, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with intended utilization of the property. For new construction or

rehabilitation of multi-family housing with five or more units, an evaluation of previous uses of the site or other evidence of contamination on or near the site, must be conducted, to ensure that the occupants of proposed sites are not adversely affected by these hazards. For all new construction or rehabilitation projects, particular attention must be given to any proposed site on or in the general proximity of such areas as dumps, landfills, industrial sites, or other locations that contain, or may have contained, hazardous wastes. Current techniques by qualified professionals must be used to undertake investigations determined necessary.

**The HUD guidance document Choosing an Environmentally 'Safe' Site is available at:**  
<http://www.hud.gov/utilities/intercept.cfm?/offices/cpd/energyenviron/environment/subjects/toxins/safstiepub/pdf>

The Department of Housing and Community Development has already obtained a list of TNRCC's Superfund registry sites of Toxic Chemicals and Radioactive Materials for Bexar County:

- 403 Somerset Rd., R & H Oil Co., FEDERAL Superfund Site
- 931 W. Laurel St., First Quality Cylinders, State Superfund Site
- 301 – 305 E. Grayson St., Phipps Plating, State Superfund Site
- 4927 Higdon Rd., J. C. Pennco Waste Oil Svc, State Superfund Site
- 23340 Highway 16 (Von Ormy), Harris Sand Pits, State Superfund
- 20280 So. Payne Rd., Pioneer Oil & Refining Co., State Superfund

*Action required:*

***For programs that do not include activities requiring compliance with Part 51(c) requirements, check "Not Applicable" on the Statutory Checklist (Appendix A).***

***If any proposed project will involve new construction or rehabilitation of multi-family housing, with five or more units, check "Consultation Required, Permit and/or Mitigation Required" to indicate that compliance with this HUD policy will be accomplished by conducting an evaluation of previous uses of the site or other evidence of contamination on or near the site, using current techniques by a qualified professional.***

***If any proposed project will involve new construction or rehabilitation of 1-4 family residential units, check "Consultation Required, Permit and/or Mitigation Required" to indicate that compliance with this HUD policy will be accomplished by evaluating any proposed site on or in the general proximity of such areas as dumps, landfills, industrial sites, or other locations that contain, or may have contained, hazardous wastes, using current techniques by qualified professionals. Describe procedures for individual site review in Analyst Site Visit & Certification Form.***

---

## **RUNWAY CLEAR ZONES**

*Discussion:*

**HUD Environmental Criteria and Standards at 24 CFR 51(d)** The purpose of this regulation is to promote compatible land uses around civil airports and military airfields by identifying



suitable land uses for Runway Clear Zones at airports and for Clear Zones and Accident Potential Zones at military airfields. Potential aircraft accident problems that are inevitable side effects of aircraft operations make some types of development incompatible or unsuitable for locations in the immediate vicinity of airports and airfields.

HUD funds may not be used for assistance, subsidy or insurance for construction, land development, new communities, community development or redevelopment or any other provision of facilities and services designed to make land available for construction, or rehabilitation which significantly prolongs the physical or economic life of existing facilities, in designated Runway Clear Zones at major commercial airports, or Clear Zones at military airports, except where written assurance is made that the project proposed for development will not be frequently used by people, and where written assurances are provided by the airport operator that no plan exists to purchase the property as part of a Runway Clear Zone or Clear Zone acquisition program.

For Accident Potential Zones at Military Airfields, projects must generally be consistent with recommendations in the Land Use Compatibility for Accident Potential Zones contained in Department of Defense Instruction 4165.57, 32 CFR Part 256.

**Go to:**  
<http://west.dtic.mil/whs/directives/corres/pdf2/i416557.pdf> **obtain a copy of the compatible uses for Accident Potential Zones.**

***Action required:***

***Runway Clear Zones are entirely contained inside Airport properties (SALA and Kelly Annex). Projects will not be located inside Airport properties. Maps identifying location of Clear Zones are on file at HCD.***

***1. Check "Not Applicable" on the EA and include the language provided above.***

The APZ area for Lackland AFB is encompassed within the parameters of Loop 410, IH 35 and the Poteet/Jourdanton Freeway (Hwy 16) and the parameters of Loop 410, Bandera Rd, General McMullen and Hwy 90.

- 1. If the site does not fall within an APZ, mark "Not Applicable" on the form.***
- 2. If the site does fall within an APZ, mark "Does not affect the resources under consideration".***
- 3. A Disclosure Statement must be provided to buyer. Attach a copy of the signed disclosure to this form.***

---

## **ENVIRONMENTAL JUSTICE**

***Discussion:***

**Executive Order 12898** requires each federal agency to include environmental justice as part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse

human health or environmental effects of its programs, policies, and activities on minority and low-income populations. If a project is determined to have adverse environmental impacts, a determination must be made under this regulation as to whether the adverse impacts disproportionately affect low-income or minority populations.

**Detailed information on HUD environmental justice activities can be found at:  
<http://www.hud.gov/offices/cpd/energyenviron/environment/subjects/justice/index.cfm>**

*Action Required:*

1. *If the project activities will not significantly affect income patterns, demographics, or cause changes within city neighborhoods **check "Not Applicable" on the EA***

**OR**

1. *If the project activities will significantly affect income patterns, demographics, or cause changes within city neighborhoods **check "Consultation Required, Permit and/or Mitigation Required" on the EA.***
2. ***Provide explanation of mitigation measures.***

---

## **SUBMIT ENVIRONMENTAL ASSESSMENT FOR REVIEW & APPROVAL**

*Discussion & Action required:*

*The EA must be submitted to your assigned HCD Programs Analyst for review and signature.*

*The completed EA must include the Cover Page, Project Abstract, Statutory Checklist, a site map (preferably a Zoning Map), a FEMA map, a copy of the letter to and response from SHPO and other required supporting documentation.*

*HCD's Environmental Review Officer (ERO) is the final reviewer prior to submission for signature by the Certifying Officer. The ERO will review the EA for completeness, accuracy of supporting documentation and compliance with required signature(s) and Environmental Laws and statutes.*

*Approved EAs will be maintained on file as part of the Environmental Review Record and a copy, accompanied by a transmittal letter, will be returned to the Subrecipient. A sample letter is provided in Appendix C.*

*If the ER is not complete or requires revision, the ERO will return the Site Specific Statutory Checklist with written explanation. A sample letter is provided in Appendix D.*

# APPENDIX A

# SAMPLE

**The most current version of the ERR Form can be downloaded from [www.sanantonio.gov/hcd](http://www.sanantonio.gov/hcd) or request a copy via e-mail to [communitydevelopment@sanantonio.gov](mailto:communitydevelopment@sanantonio.gov) or**

1. Submitting Agency Name, Location & Phone #:		2. Project Name:  Project/Grant Number:	
3. Site Address:		4. Funding Source <input type="checkbox"/> CDBG <input type="checkbox"/> HOME Total Estimated Cost of project: Amount of CDBG Funding: \$ Amount of HOME Funding: \$	
5. <input type="checkbox"/> Multifamily <input type="checkbox"/> Elderly  <input type="checkbox"/> Single Family <input type="checkbox"/> Other	6. Number of: ____ Dwelling Units ____ Buildings ____ Acres	7. Displacement: <input type="checkbox"/> No <input type="checkbox"/> Yes (if Yes, explain)	
8. <input type="checkbox"/> Rehabilitation <input type="checkbox"/> Down Payment Assistance <input type="checkbox"/> Reconstruction <input type="checkbox"/>		9. Is the project in compliance with local zoning requirements? <input type="checkbox"/> No <input type="checkbox"/> Yes (if No, explain)	
<i>By signing below the Subrecipient certifies in writing that each activity or project noted in the record meets the conditions specified for the classified Environmental Review under section 24 CFR 58.34(a), 58.35(b) or 58.5 and that the necessary site visits have been conducted and compliance documentation has been prepared and reviewed in order to properly release funds and proceed with the activities of the project. Please keep a copy of this determination in your project files.</i>			
Preparer's name and signature  x		Date:	Supervisor name and signature  x
Date:		Date:	
<b>Housing and Community Development Use Only:</b> Findings and Recommendations are to be prepared after the environmental analysis is completed. <b>Date Received by HCD:</b>			
<input type="checkbox"/> Categorical exclusion is made in accordance with § 50.20 or <input type="checkbox"/> Environmental Assessment and a Finding of No Significant Impact (FONSI) is made in accordance with § 50.33 or <input type="checkbox"/> Environmental Assessment and a Finding of Significant Impact is made, and an Environmental Impact Statement is required in accordance with §§ 50.33(d) and 50.41.			
<input type="checkbox"/> Project is recommended for approval (List any conditions and requirements): <input type="checkbox"/> Project is recommended for rejection (State reasons):			
<i>By signing below the Housing and Community Development staff certifies in writing that each activity or project noted in the record meets the conditions specified for the classified Environmental Review under section 24 CFR 58.34(a), 58.35(b) or 58.5 and that the necessary site visits have been conducted and compliance documentation has been prepared and reviewed in order to properly release funds and proceed with the activities of the project.</i>			
Signature CD Analyst:  x		HCD Coordinator (signature)  x	
Printed Name:		Printed Name:	
Date:		Date:	
Reviewed for conformance with policy and procedures: ERR Officer's Signature: <u>Consuelo Munoz</u> x <span style="float: right;">Date:</span>			
By signing below the Responsible Entity certifies in writing that each activity or project is meets the conditions specified for the specified Environmental Review under section 24 CFR 58.34(a) Approving Official: <u>Andrew W. Cameron, Certifying Official Director, Housing &amp; Community Development</u> x <span style="float: right;">Date:</span>			

## ***PROJECT ABSTRACT***

**Statement of Purpose and Need for the Project:**

**Status of the Project:**

**Project and Area Description:** *(Include all contemplated actions which logically are either geographically or functionally a composite part of the project, regardless of the source of funding [24 CFR 58.32, 40 CFR 1508.25])*

**Existing Conditions and Trends:** *(describe the existing conditions of the project area and its surroundings, and trends likely to continue in the absence of the project.) [24 CFR 58.40(a)] Attach area maps, project plans and any relevant photographs.*

§ 50.4 Laws and Authorities	Not Applicable to this Project	Does not affect the resources under consideration	Consultation /Review/Permits Required	Approvals/Permits Obtained	Source Documentation & Requirements for Approval	Attachments (Y/N)
<b>Part A. Compliance Findings for §50.4 Related Laws and Authorities</b>						
Coastal Barrier Resources						
Floodplain Management (24 CFR Part 55)						
Historic Preservation (36 CFR Part 800)						
Noise Abatement (24 CFR Part 51 Subpart B)						
Hazardous Operations (24 CFR Part 51 Subpart C)						
Airport Hazards (24 CFR Part 51 Subpart D)						
Protection of Wetlands (E. O. 11990)						
Toxic Chemicals & Radioactive Materials (§ 50.3(i))						
Other § 50.4 authorities (e.g., endangered species, sole source aquifers, farmlands protection, flood insurance, environmental justice)						
<b>Part B. Environmental/Program Factors</b>						
Unique Natural Features and Areas						
Site Suitability, Access, and Compatibility with surrounding development						
Soil Stability, Erosion, and Drainage						
Nuisances and Hazards (natural and built)						
Water Supply / Sanitary Sewers						
Solid Waste Disposal						
Schools, Parks, Recreation, and Social Services						
Emergency Health Care, Fire and Police Services						
Commercial/Retail and Transportation						
Other						

## APPENDIX B

Mr. Charles M. Peveto, Historian  
For Mr. F. Lawrence Oaks, Executive Director  
Texas Historical Commission  
P. O. Box 12273  
Austin, TX 78711-2776

RE: Consultation under 36 CFR Part 800  
City of San Antonio, Texas - Dept. of Housing & Community Development

Dear Sir:

The City has approved funding for the below project, and requests your review:

Project Name: \_\_\_\_\_  
Project Address: \_\_\_\_\_  
Type of Project: \_\_\_\_\_  
Ordinance Number \_\_\_\_\_ Date \_\_\_\_\_  
(Project description, maps and photos attached)

In accordance with HUD provisions and the City of San Antonio has conducted a historical review of the [project site/structure] and has reached the following conclusion/determination:

\_\_\_\_\_ The [project] is not new construction, vacant property, demolition, or rehabilitation of an older building for adaptive re-use. The [site/structure] has not been found to have any architectural, cultural or historic significance. [Structure] is not 50 years old or older, is not located within a Historic district, no exterior work or land excavation is to be performed, the City Historic Preservation is in favor of the project and has provided written support, [or see attached reasons].

\_\_\_\_\_ The [project] is either new construction, vacant property, demolition, or rehabilitation of an older building for adaptive re-use, or this project may require additional information that should be considered. It has been determined that the [Structure] is over 50 years old, exterior work or excavation is being performed, the site location is located in a historical district, the structure/site has architectural interest or cultural significance, or see attached reasons. This project may require consultation, pre-approval, specification review and approval, or a permit to be issued.

**Please provide your determination of the likely effect this proposed activity/project would have on the environment, of the potential impact to historic preservation within the City of San Antonio; specifically related to historical structures and sites.** The City is committed to having only minimal or “no significant impact”. If you disagree with our finding and have additional information we should consider, or have any questions please do not hesitate to call. If we do not hear from you within 30 calendar days, we will assume that you agree with our determination and we will proceed with the project.

Consuelo Munoz, Environmental Review Officer (210) 207-5467  
Department of Housing & Community Development

Attachments

Cc: Ann McGlone, City of San Antonio, Planning Department

**Space provided below for State Historic Preservation Officer:**

## **APPENDIX C**

### **Sample Notice of Approved EA**

DATE

Director, Anytime Housing Rehabilitation  
123 ABC Street  
San Antonio, Texas 78xxx

Dear Director:

This letter is to notify you that the City of San Antonio, Department of Housing and Community Development, in assuming authority compliance with the National Environmental Policy Act of 1969 regulations (40 CFR Parts 1500- 1508), has reviewed the your Environmental Assessment submitted by your agency for the \_\_\_\_\_ project located at \_\_\_\_\_ and has determined that [Agency] has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project named above and it is hereby approved.

[Agency] can proceed with the funding of the project named above and submit the appropriate Integrated Disbursement and Information Systems (IDIS) set-up and begin project activity.

While we anticipate that there will be slight incidental environmental effects of noise pollution, these will be temporary in nature, and will only be present during the project construction period.

This letter will be retained in our Environmental Review Record.

Sincerely,  
Director of Housing and Community Development

## APPENDIX D

### Sample Notice of Correction

DATE

Director, Anytime Housing Rehabilitation  
123 ABC Street  
San Antonio, Texas 78xxx

Dear Director:

This letter is to notify you that the City of San Antonio, Department of Housing and Community Development, in assuming authority compliance with the National Environmental Policy Act of 1969 regulations (40 CFR Parts 1500- 1508), cannot approve the EA Environmental Review submitted by your agency for the \_\_\_\_\_ project located at \_\_\_\_\_.

The specific reasons are as follows:

- ☐ Failure to provide copy of FEMA Map
- ☐ Failure to provide copy Property Summary from the Bexar Appraisal District or  
failure to attach a copy of construction agreement (in case of DPA)
- ☐ Failure to provide copy of Zoning Map
- ☐ Failure to provide copy of Target Area Map
- ☐ Failure to provide copy of Copy of Letter to SHPO
- ☐ Failure to provide copy of response from SHPO
- ☐ Other: \_\_\_\_\_

This letter will be retained in our Environmental Review Record.

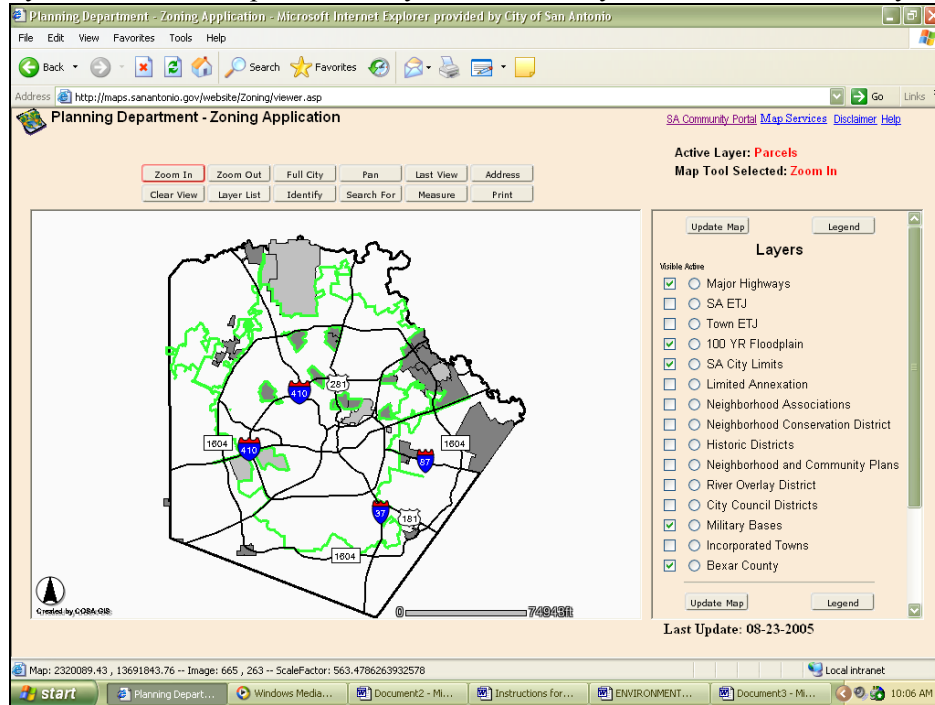
Sincerely,  
Director of Housing and Community Development



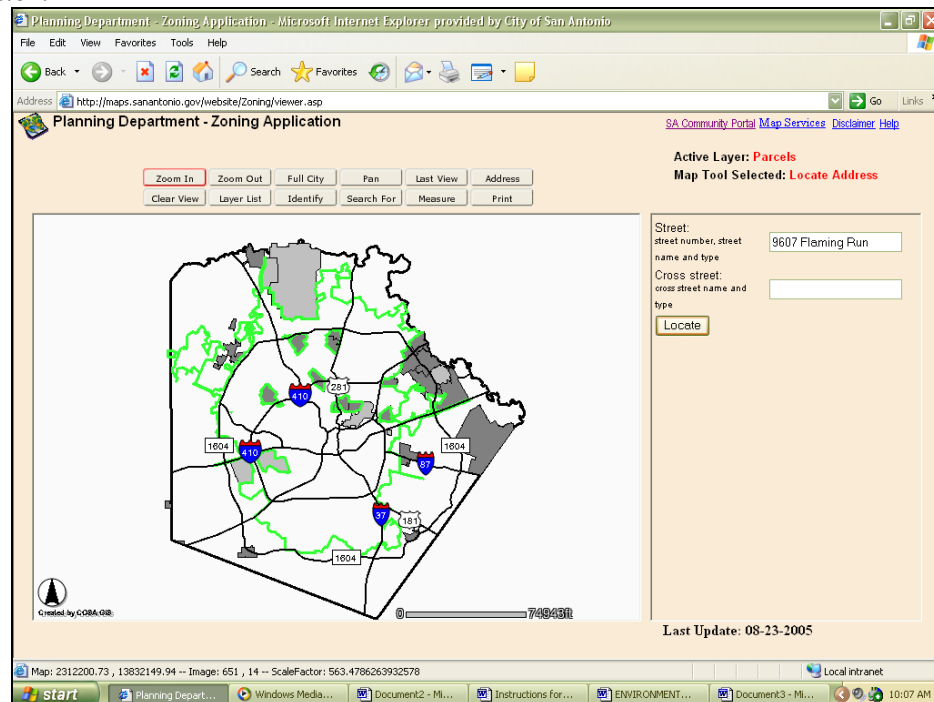
# APPENDIX E

## Zoning Map Printing Instructions

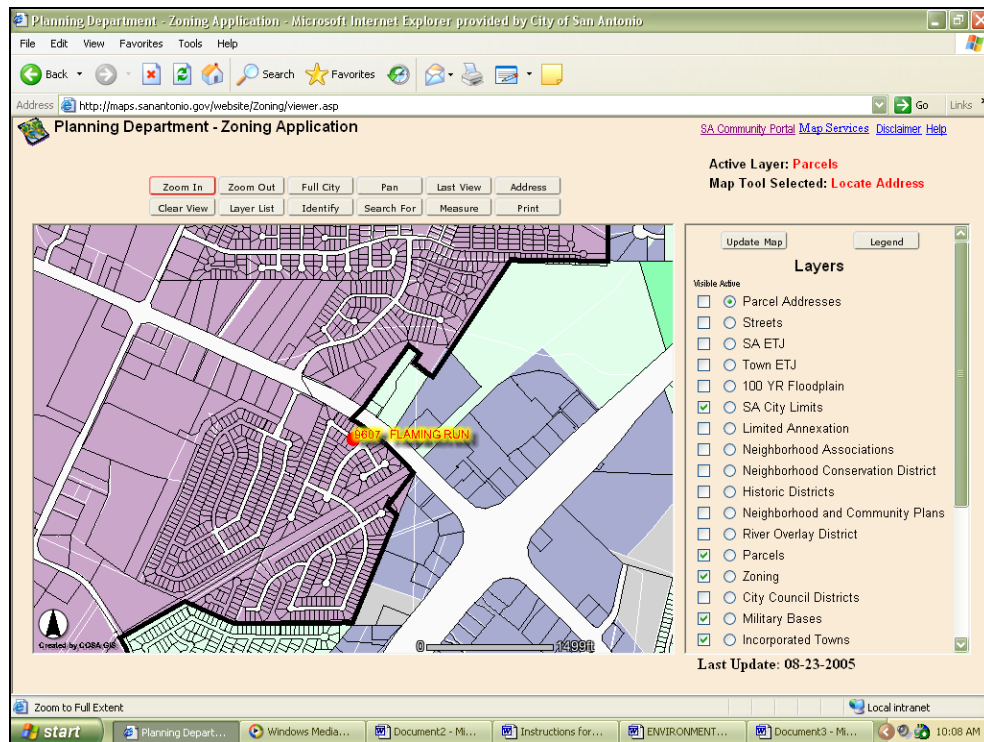
1. Go to Website: [http://maps.sanantonio.gov/default\\_zoning.asp?res=1024&ver=true](http://maps.sanantonio.gov/default_zoning.asp?res=1024&ver=true)  
And accept the terms of use. Be sure that the layers are consistent with those shown in the photo below: Major Highways, 100 Year Floodplain, SA City Limits, Military Bases and Bexar County.



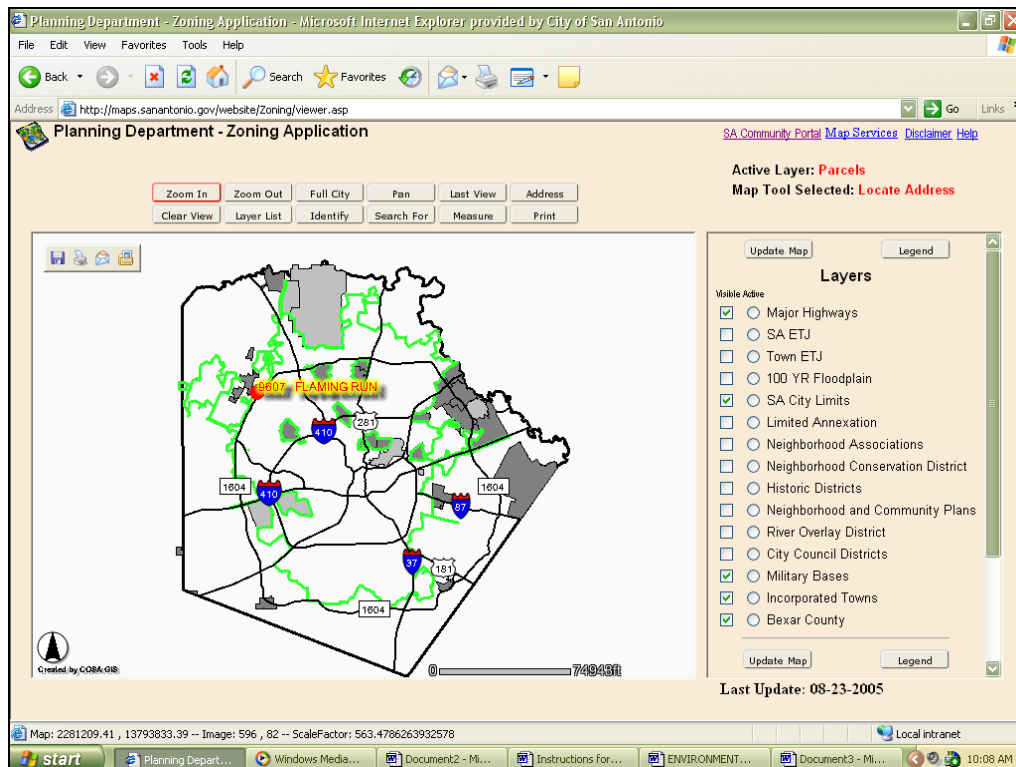
2. Click the button labeled “Address” and enter the site address (a cross street is optional). Click the “Locate” button.



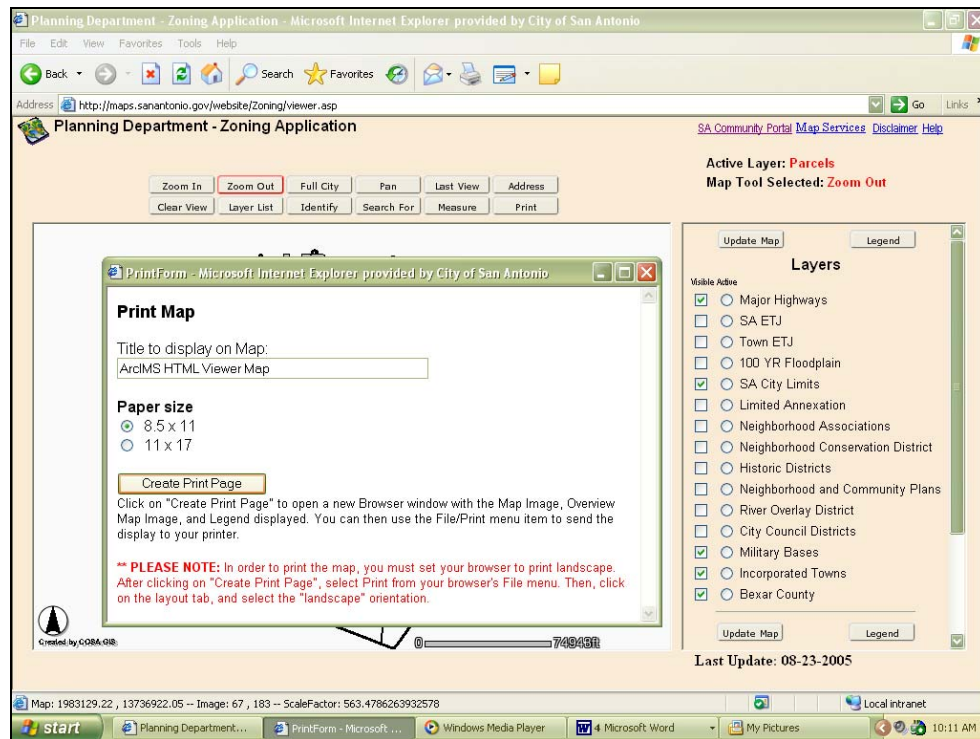
3. You will receive a map similar to the one pictured below. Click on the button labeled “Full City”.



1. In order to satisfy the Sole Source Aquifer requirement the your map should show the location of your project relative to Loop 1604



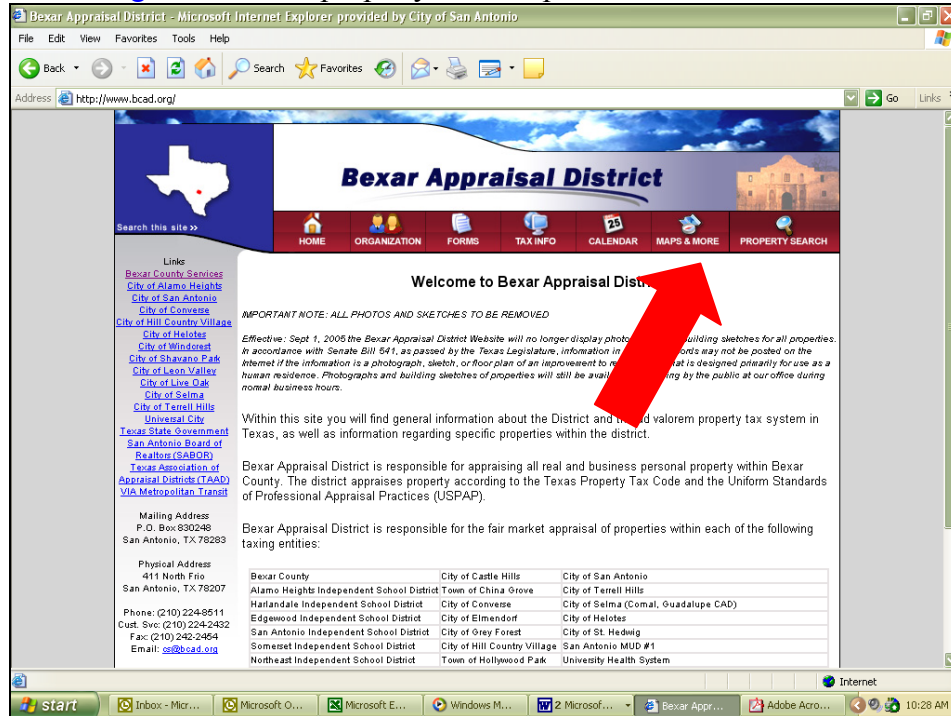
5. Print the map by clicking on the button labeled “Print”. You will print a blank page if you select any other print option. Once you click the print button, you should receive a message box similar to the one in the picture below. Click the “Create Print Page” button.



## APPENDIX F

### BCAD Property Summary Printing Instructions

1. [www.bcad.org](http://www.bcad.org): click on the property search option:



2. Enter the property address in the field labeled “Number” and the street in the field labeled “Street” and click the “Search Records” button.

True Automation, Inc. - Property Search (Basic) - Microsoft Internet Explorer provided by City of San Antonio

Address: <http://www.bcad.org/clientdb/main.asp?id=1>

## Bexar CAD

Year:  [Search Hints](#)  
 Property ID:   
 Property Type:   
 Owner Name:  ☒ partial ☐ like  
 Geo ID:  ☒ partial ☐ like  
 Situs Location - Prefix:  Number:  Street:  ☒ partial ☐ like  
 Sort Options: ☐ Sort by Geo ID ☐ Sort by Owner ☒ Sort by Situs  
 List Options: ☐ Legal Description ☒ Situs Address  
 Records Per Page:

**Disclaimer:**

All information contained herein, is considered in the public domain and is distributed without warranty of any kind, implied, expressed or statutory; it may be freely distributed or copied as permitted by law. The Bexar Appraisal District makes no claims, promises or guarantees about the accuracy, completeness, or adequacy of this information and expressly disclaims liability for any errors and omissions.

Information relating to 2005 should be considered a "work in progress"; the information may be in various states of entry, correction and verification; the information may be incomplete or inaccurate and will probably change. Prior year data is informational only and does not necessarily replicate the values certified to the tax office.

### 3. Select the Summary option

True Automation - Microsoft Internet Explorer provided by City of San Antonio

Address: <http://www.bcad.org/clientdb/propertydetails.asp?prop=100176>

## Bexar CAD - 2005

**Prop ID:** 100176      **Owner:** C A N INDUSTRIES INC      **Legal:** NCB A-14 PT OF TR E ARB E3

### Name, Address and Property Information

<b>Owner ID</b>	70113	<b>Property ID</b>	100176 (Real)	<b>Geo ID</b>	00014-000-0106
<b>Name &amp; Address</b>	C A N INDUSTRIES INC STE 102 1325 N FLORES ST SAN ANTONIO, TX 78212-4905	<b>Legal Description</b>	NCB A-14 PT OF TR E ARB E3		
<b>% Ownership</b>	100%	<b>Situs</b>	1400 S FLORES		
<b>Exemptions</b>	n/a	<b>Neighborhood</b>	10110 (NBHD code10110)		
<b>Map ID</b>	<a href="#">Show Map</a>	<b>Agent Code</b>			
<b>Mapsco</b>	616D7				

### Property Value and Taxing Jurisdiction Information

Property Values	
(+)Improvement Homesite Value:	\$0
(+)Improvement Non-Homesite Value:	\$1,008,970
(+)Land Homesite Value:	\$0
(+)Land Non-Homesite Value:	\$118,800 <b>Ag / Timber Use Value</b>
(+)Agricultural Market Valuation:	\$0
(+)Timber Market Valuation:	\$0
(=)Market Value:	\$1,127,770
(-)Ag or Timber Use Value Reduction:	\$0
(=)Appraised Value:	\$1,127,770

### 4. Print and attach to the EA.

## APPENDIX G

### FEDERAL REQUIREMENTS

In summary, the key federal environmental requirements which grantees must comply with include:

**Section 104(f) of the Housing and Community Development Act of 1974.** This section of the Act expresses the intent that the policies of the National Environmental Policy Act of 1969 (NEPA) and other provisions of law which further the purpose of NEPA be effectively implemented in connection with the expenditure of funds under CDBG and HOME. Such other provisions of law which further the purpose of NEPA are specified in regulations issued pursuant to Section 104(f) of the Act and contained in 24 CFR Parts 51 and 58;

**National Environmental Policy Act of 1969** (42 U.S.C. Section 4321, et seq. and 24 CFR Part 58). The purpose of this Act is to attain the widest use of the environment without degradation, risk to health or safety or other undesirable and unintended consequences. The federal environmental review procedures are a part of this process;

**24 CFR Part 58 - Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities** (April 30, 1996). This provides guidance to grantees for the implementation of NEPA for CDBG and HOME projects. It defines the City's and the Subrecipient's responsibilities in conducting an environmental review and details the procedures necessary to ensure compliance with the applicable regulations;

**24 CFR Part 51 - Environmental Criteria and Standards:** Subpart B, Noise Abatement and Control; Subpart C, Siting of HUD-Assisted Projects Near Hazardous Operations Handling Conventional Fuels or Chemicals of an Explosive or Flammable Nature; and Subpart D, Siting of HUD Assisted Projects in Runway Clear Zones at Civil Airports and Clear Zones and Accident Potential Zones at Military Airfields. These regulations provide standards for determining whether the proposed location of a HUD assisted project will be in an unacceptable proximity to sources of noise or hazardous operations which pose risk to human health and welfare. In addition, these regulations prohibit the use of HUD assistance in areas determined to have high risk potential near airports. With respect to noise and hazardous operations, guidance is provided which establishes mitigating procedures which in some cases will reduce the noise level or danger from hazardous operations to an acceptable level or degree;

**Clean Air Act** (42 U.S.C. 7401, et seq.) This Act prohibits engaging in, supporting in any way or providing financial assistance for, licensing or permitting, or approving any activity which does not conform to the State implementation plan for national primary and secondary ambient air quality standards;

**Flood Disaster Protection Act of 1973**, Public Law 93-234, 87 Stat. 975, (42 U.S.C. 4001-4128). Section 102(a) required, on and after March 2, 1974, the purchase of flood insurance, as a condition for the receipt of any federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Secretary of HUD as an area having special flood hazards (SFHA);

**Executive Order 11988**, May 24, 1977: **Floodplain Management** (42 FR 26951, et seq.) The intent of this Executive Order is to avoid, to the extent possible, adverse impacts associated with the occupancy and modification of floodplains and avoid direct or indirect support of floodplain development wherever there is a practical alternative.

**Executive Order 11990**, May 24, 1977: **Protection of Wetlands** (42 FR 26961, et seq.). The intent of this Executive Order is to avoid adverse impacts associated with the destruction or modification of wetlands and to avoid direct or indirect support of new construction in wetlands, wherever there is a practical alternative. The City must avoid undertaking or providing assistance for new construction located in wetlands unless there is no practical alternative to such construction and the proposed action includes all practical measures to minimize harm to wetlands;

**Section 106 of the National Historic Preservation Act of 1966** (16 U.S.C. 470, as amended) through completion of the procedures outlined in 36 CFR Parts 800 and 63. Compliance with these procedures should include consulting with the State Historic Preservation Office (SHPO) to identify properties listed in or eligible for inclusion in the National Register of Historic Places that may exist within a proposed CDBG or HOME project's area of potential environmental impact. Compliance also includes consulting with, as needed, the SHPO, the keeper of the National Register of Historic Places, and the Advisory Council on Historic Preservation to evaluate the significance of historic or prehistoric properties which could be affected by CDBG or HOME work and to determine how to avoid or mitigate adverse effects to significant properties from project activities;

**Lead-based Paint (LBP). Title IV of the Lead-based Paint Poisoning Prevention Act** (42 U.S.C. 4831). This prohibits the use of lead-based paint in residential structures constructed or rehabilitated with federal assistance of any kind; and

**HUD Lead-Based Paint Requirements for Housing Rehabilitation Projects, 24 CFR Part 35, subparts B-R.** For the complete rules, see <http://www.hud.gov/offices/lead/leadsaferule/index.cfm>.

**Asbestos.** The federal Environmental Protection Agency's *National Emission Standard For Hazardous Air Pollutants (NESHAP)*, 40 CFR Part 61, Subpart M, which pertains to asbestos. The other regulation that commonly applies to asbestos abatement projects is the Occupational Safety and Health Administration's (OSHA) Construction Standard (29 CFR 1926.1101).

**Radon.** The U.S. Congress has set a long-term goal that indoor radon gas levels be no more than outdoor levels. See EPA's Radon-Indoor Air website for Radon hazard information <http://www.epa.gov/iaq/radon/index.html> and EPA's "Radon -- Frequent Questions" webpage at <http://www.epa.gov/iaq/radon/radonqa1.html>.

**Solid Waste Disposal Act**, as amended by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. Section 6901, et seq.). The purpose of this Act is to promote the protection of health and the environment and to conserve valuable material and energy resources;



**Safe Drinking Water Act of 1974** (42 U.S.C. Section 201, 300(f) et seq. and 21 U.S.C. Section 349), as amended, particularly Section 1424(e) (42 U.S.C. Section 300h- 303(e)) which is intended to protect underground sources of water. No commitment for federal financial assistance can be entered into for any project which the U.S. Environmental Protection Agency (EPA) determines may contaminate an aquifer which is the sole or principal drinking water source for an area;

**Federal Water Pollution Control Act** (P.L. 92-500), as amended (33 U.S.C. 1251-1376), including **The Clean Water Act of 1977**, Public Law 92-212 (33 U.S.C. Section 1251, et seq.). This provides for the restoration and maintenance of the chemical, physical and biological integrity of the nation's water;

**Endangered Species Act of 1973**, as amended (16 U.S.C. 1531 et seq.). The intent of this Act is to ensure that all federally assisted projects seek to preserve endangered or threatened species. Federally authorized and funded projects must not jeopardize the continued existence of endangered and threatened species or result in the destruction of or modification of the habitat of such species which is determined by the U.S. Department of the Interior, after consultation with the state, to be critical;

**Fish and Wildlife Coordination Act of 1958**, as amended, (U.S.C. 661 et seq.). This Act requires that wildlife conservation receive consideration and is coordinated with other features of water resource development programs;

**Wild and Scenic Rivers Act of 1968**, as amended (16 U.S.C. 1271, et seq.). The purpose of this Act is to preserve selected rivers or sections of rivers in their free-flowing condition, to protect the water quality of such rivers and to fulfill other vital national conservation goals. Federal assistance by loan, grant, license or other mechanism cannot be provided to water resources construction projects that would have a direct and adverse effect on any river included or designated for study or inclusion in the National Wild and Scenic River System;

**Farmlands Protection Policy Act of 1981** (7 U.S.C. 4201(b) and 4202) and any applicable regulations (7 CFR Part 658). The purpose of this Act is to establish compliance procedures for any federally assisted project which will convert farmlands designated as prime, unique, statewide or locally important, to non-agricultural uses; and,

**Executive Order 12898 - Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations**, February 11, 1994 (59 FR 2629), 3 CFR, 1994 comp.

Other applicable laws and regulations include:

**Executive Order 11593 - Protection and Enhancement of the Cultural Environment;**  
**National Flood Insurance Program** (44 CFR 59-79)

**Executive Order 11288 - Prevention, Control, and Abatement of Water Pollution** by Federal Activities;

**Executive Order 11296 - Evaluation of Flood Hazard** in Locating Federally Owned or Financed Buildings, Roads and Other Facilities, and in Disposing of Federal Lands and Properties;

**Executive Order 11514 - Protection and Enhancement of Environmental Quality;**



**Reservoir Salvage Act of 1960** as amended by the **Archeological and Historic Preservation Act of 1974** (16 U.S.C. 469).